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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Application of : Reba Goodman, et al.

SEP 20 2002

Serial No. : 09/769,902

TECH CENTER 1600/2900

Date Filed : January 25, 2001

For : A METHOD FOR REGULATING GENES WITH
ELECTROMAGNETIC RESPONSE ELEMENTS

1185 Avenue of the Americas
New York, N.Y. 10036
September 11, 2002

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

A Search Report was issued in a related application PCT/US02/03778 on June 11, 2002. Applicant wishes to make of record in the present application the references cited in this Search Report.

In accordance with 37 C.F.R. §1.97(c) references will be considered and made of record is cited in an Information Disclosure Statement filed after the period specified in §1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of any of a final action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by:

09/18/2002 MMDDMM1 00000134 09769902
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- (1) A statement as specified in 37 C.F.R. §1.97(e); or
- (2) The fee set forth in §1.17(p), which is \$180.

In compliance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references cited in the aforementioned related PCT application, which references are listed on the accompanying form PTO-1449 (Exhibit 1), copies are attached hereto as Exhibits 2-4 respectively.

1. Blank, M. et al. Electromagnetic fields may act directly on DNA. *Journal of Cellular Biochemistry*. 1999, Vol. 75, pages 369-374. (Exhibit 2)
2. Lin et al. Electromagnetic field exposure induces rapid, transitory heat shock factor activation in human cells. *Journal of Cellular Biochemistry*. 1997, Vol. 66, pages 482-488. (Exhibit 3)
3. Goodman, R. et al. Magnetic field stress induces expression of hsp70. *Cell Stress Chaperones*. 1998, Vol. 3, No. 2, pages 79-88. (Exhibit 4)

Although this Information Disclosure Statement is being filed within three months of the Search Report dated June 11, 2002, because these three references were prior work of, and thus known to applicants, applicant has decided to submit the required fee of \$180.

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Other than the fee of \$180, no fee is deemed necessary in connection with the filing of this Information Disclosure Statement. However, if any additional fee is required or if the amount is insufficient, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner of Patents,
Washington, D.C. 20231.


Peter J. Phillips

9-11-02

Date

Reg. No. 29,691